

REMARKS

In accordance with the foregoing, claims 1, 11, 14, 23, 29, 30, 31, and 33 have been amended. No new matter is being presented. Therefore, claims 1-5, 7-17, and 19-33 are pending and reconsideration is respectfully requested.

ENTRY OF AMENDMENT UNDER 37 C.F.R. §1.116:

Applicants request entry of this Rule 116 Response because further search by the Examiner is unnecessary since no new features are being added and no new issues are being raised, because the scope of the claims has not been altered, and because the amendments to the claims merely address the comments of the Examiner in the Office Action and, at least, render the claims in better form for appeal.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 1-5, 7-17, 19-28, 31-33 are rejected under 35 U.S.C. §112, second paragraph, as indefinite. These rejections are traversed and overcome.

Regarding the rejection of claim 1, according to the Office Action, the term "header area" is unclear and it is unclear where the "first through N header information" are formed on the recording medium," in claim 1. As to the first point, it is noted that the claimed header area is clear on its face and refers to an area in the header of an optical recording medium. Thus, the issues raised by the Examiner as to this point are believed to be traversed. As to the second point, it is noted that claim 1 has been amended to clearly recite that the "first through N header information," are recorded in the header area. Thus, the issues raised as to this point are believed to have been addressed and corrected.

Here, it is noted that claims 14, 23, 29, 30, 31, and 33 were also amended in a similar fashion. As such, the issues raised by the Examiner as discussed above are not believed to be applicable to these claims.

In addition, the Examiner also questioned how it is possible to record a header area as a multi-modulated signal. In response, it is noted that at least paragraph [0037] of the specification provides an explanation as to how a header area may be recorded as a multi-modulated signal. Thus, the comments of the Examiner are believed to be addressed and traversed.

Lastly, the Examiner suggested that the phrase "first through N header information" lacks structural support. Again, in response, it is noted that paragraph [0037] provides the sought after

support for this phrase. In particular, it is noted that the specification speaks of both first and second header information. The "first through N" phrase is a statement of this. Thus, the comments of the Examiner are believed to be addressed and traversed.

As to the comments regarding claim 11, it is noted that claim 11 has been amended according to the suggestions of the Examiner. Thus, claim 11 is believed to be allowable.

As to the comments regarding claims 14, 23, and 33, it is noted that the first comment of the Examiner has been addressed above in the discussion as to why the phrase "first through N header information" is supported in the specification. With respect to the second comment, it is further noted that, in paragraph [0037] of the specification, the specification states that the first modulator modulates the first header information according to a first type of modulation, the second modulator modulates the second header information according to a second type of modulation, and so forth. Thus, the comments of the Examiner are believed to be addressed and traversed.

ALLOWABLE SUBJECT MATTER:

Applicants acknowledge with appreciation that claims 1-5, 7-17, 19-30 and 31-33 have been found to be allowable.

CONCLUSION:


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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